IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9056 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

YADAV DUNGARBHAI GOVABHAI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 9056 of 1997

MS MAMTA R VYAS for Petitioner No. 1

MRS FALGUNI PATEL AGP for Respondent No. 1-3

MR HARIN P RAVAL for Respondent No. 4

NOTICE SERVED BY DS for Respondent No. 5

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 30/11/2004

ORAL JUDGEMENT

1. The petitioner herein has preferred this petition in order to quash and set aside the order dated 12/12/1997 passed by respondent no.2 herein, whereby the petitioner was removed as the Councillor of the

respondent Nagar Palika.

2. On 19/12/1997 while admitting this matter, this Court had granted ad-interim relief in terms of Para 7-(B) of the petition, whereby the order of the Director of Municipality was stayed.

3. Now, since the order of the Director of Municipality has not been implemented and since the term of the Municipality is already over, the petition has become infructuous. The petition, therefore, stands disposed of having become infructuous. Rule is discharged with no order as to costs. Ad-interim relief granted earlier stands vacated. Liberty to apply afresh in case of difficulty.

(K. S. Jhaveri, J.)

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